

MAY 30, 2018

COURT CLERK
UNITED STATES DISTRICT COURT
JAMES T. FOLEY U.S. COURTHOUSE
445 BROADWAY-ROOM 509
ALBANY, NEW YORK 12207

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

JUN 21 2018

LAWRENCE K. BAERMAN, CLERK
ALBANY

DEAR CLERK OF THIS COURT:

ENCLOSED PLEASE FIND AN ORIGINAL COPY OF THE CIVIL COVER SHEET, COMPLAINT, DISCOVERY MOTION, ORDER TO SHOW CAUSE, MOTION FOR POOR PERSON RELIEF, COVER LETTER AND PROOF OF SERVICE UPON THIS COURT TO COMMENCE A SECTION 1983 CIVIL ACTION TO DEFEND AND PROTECT MY RIGHTS GUARANTEED BY THE CONSTITUTION AND LAWS OF THE UNITED STATES FOR A LONG TRAIN OF ABUSES AND REPEATED VIOLATIONS OF MY HUMAN RIGHTS BY THE DEFENDANTS.

AT THIS TIME, THE DISCOVERY MOTION IS BEING SUBMITTED FOR A REASONABLE RETURN DATE IF THIS COURT WILL ALLOW IT TO BE FILED BEFORE THE COMPLAINT IS ANSWERED BY THE STATE OF NEW YORK ATTORNEY GENERAL. I WILL RESUBMIT THE DISCOVERY MOTION ALONG WITH THE COPIES OF THE COMPLAINT, SUMMONS, PROCESS RECEIPT AND RETURN FORMS AND OTHER NECESSARY PAPERS IF THIS COURT GIVES PERMISSION FOR SUCH AN ACTION.

YOUR COOPERATION AND HELP WILL BE GREATLY APPRECIATED IN THIS MATTER.

RESPECTFULLY SUBMITTED,

W. P. V.

WAYNE PHILIP VANCE 1209682

GREAT MEADOW CORRECTIONAL FAC

11739 STATE ROUTE 22

P.O. BOX 51

COMSTOCK, NEW YORK 12821

AFFIDAVIT OF SERVICE

JUN 21 2018

LAWRENCE K. BAERMAN, CLERK
ALBANY

I WAYNE PHILLIP VANCE 1283682, BEING DULY SWORN DEPOSES AND SAYS:

THAT I SERVE AN ORIGINAL COPY OF THE CIVIL COVER SHEET, COMPLAINT, DISCOVERY MOTION, MOTION TO PROCEED AS A POOR PERSON, COVER LETTER AND PROOF OF SERVICE BY PLACING SAID DOCUMENTS INTO A PROPERLY ADDRESSED LEGAL ENVELOPE AND PLACING SAID LEGAL ENVELOPE INTO THE HANDS OF A SCHOOL GATE OFFICER TO BE TAKEN TO THE BUSINESS OFFICE AT GREAT MEADOW CORRECTIONAL FACILITY FOR THE PROCESSING AND CERTIFIED MAILING UPON THE CLERK OF THE UNITED STATES DISTRICT COURT IN ALBANY COUNTY, LOCATED AT 445 BROADWAY-ROOM 509, ALBANY, NEW YORK 12207, ON THE 19TH DAY OF JUNE 2018.

CERTIFIED MAIL ARTICLE # 7017 1450 0000 3971 5583
RETURN RECEIPT USPS TRACKING # 9590 9402 1706 6053 8323 48

I HAD ALSO SERVED AN ORIGINAL COPY OF THE ORDER TO SHOW CAUSE ALONG WITH THE ABOVE SAID DOCUMENTS BY THE ABOVE SAID MEANS ON THE ABOVE SAID DATE.

I HAD ALSO SERVED A COPY OF EXHIBITS D AND E ALONG WITH THE ABOVE SAID DOCUMENTS BY THE ABOVE SAID MEANS ON THE ABOVE SAID DATE.

RESPECTFULLY SUBMITTED,

Wayne Phillip Vance
WAYNE PHILLIP VANCE 1283682
GREAT MEADOW CORRECTIONAL FACILITY
11739 STATE ROUTE 22
P.O. BOX 51
COMSTOCK, NEW YORK 12821

SWORN TO BEFORE ME THIS 22 DAY
OF May 2018.

Edward C. Carpenter
NOTARY PUBLIC

Edward C. Carpenter
Notary Public, State of New York
Qualified in Washington Co. No. 01CA6193364
My Commission Expires September 15, 2020

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

JUN 21 2018

CIVIL COVER SHEET

JS 44 (Rev. 12/12)

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

WAYNE PHILLIP VANCE, 1263682,

(b) County of Residence of First Listed Plaintiff **WASHINGTON**
(EXCEPT IN U.S. PLAINTIFF CASES)

ASSIGNED COUNSEL INFO.

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS **THE STATE OF NEW YORK
DEPARTMENT OF CORRECTIONS AND
COMMUNITY SUPERVISION, ET AL.**

County of Residence of First Listed Defendant **ALBANY COUNTY**
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED

Attorneys (If Known)

**ATTORNEY GENERAL, ERIC T. SCHNEIDERMAN
THE CAPITOL
ALBANY, NEW YORK 12224**

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☒ 2 U.S. Government Defendant
☐ 3 Federal Question
(U.S. Government Not a Party)
☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input checked="" type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input checked="" type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 IIIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Tide XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input checked="" type="checkbox"/> 895 Freedom of Information Act <input checked="" type="checkbox"/> 896 Arbitration <input checked="" type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Monons to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input checked="" type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from Another District (specify)
☐ 6 Multidistrict Litigation

DIVERSITY ☒ YES ☐ NO

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. § 1983 CIVIL ACTION

Brief description of cause:
CONTINUOUS ABUSE AND REPEATED HUMAN RIGHTS VIOLATIONS

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. **DEMAND \$ 250,000,000,000 DOLLARS** JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

N/A

DOCKET NUMBER

N/A

**COURT APPOINTED ATTORNEY UPON
THE GRANTING OF POOR PERSON RELIEF**

DATE **4-11-18**
FOR OFFICE USE ONLY

SIGNATURE

W T P. U PRO SE

JUDGE

MAG. JUDGE